UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK	
ELLEN SIGMUND COSTOSO, JACK COSTOSO,	
Plaintiffs,	
- against -	Case No. 09-CV 3337 (KAM)
WYETH, WYETH PHARMACEUTICALS INC., IMMUNEX CORP., AMGEN INC., JOHN DOES 1-10 AND XYZ CORPORATIONS 1-10	STIPULATION OF DISMISSAL AND ORDER
Defendants.	
X	
IT IS HEREBY STIPULATED AND AGREED by	and between the undersigned counsel

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counse for all parties that have appeared in this action, that the within action is voluntarily dismissed without prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1).

Dated: October 1, 2009

LAW OFFICE OF RONALD SAFFNER

HOGAN & HARTSON L.L.P.

By: Ronald Saffner 110 Wall Street, 11th Floor New York, NY 10005 (212) 619-6030 Attorneys for Plaintiffs, Ellen Costoso and Jack Costoso By: Frank Spano 875 Third Avenue New York, NY 10022 (212) 918-3000

Lauren S. Colton (admitted *pro hac vice*) 111 South Calvert Street, Suite 1600 Baltimore, MD 21202 (410) 659-2700 Attorneys for Defendants, Amgen Inc. and Immunex Corporation

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Orrick,	Herrington	&	Sutcliffe	LLP
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______/s/ Daniel J. Thomasch 666 Fifth Avenue New York, New York 10103-0001 (212) 506-3755 Attorney for Defendants, Wyeth and Wyeth Pharmaceuticals, Inc.

SO ORDERED:

The Honorable Kiyo A. Matsumoto United States District Court for the Eastern District of New York